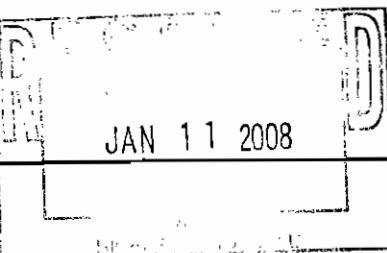


U.S. Department of Justice

United States Attorney  
Southern District of New YorkThe Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

January 10, 2008

**BY FACSIMILE**

The Honorable Richard J. Holwell  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Room 660  
New York, New York 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 1/17/08

Re: United States v. Dwayne Russell,  
07 Cr. 886 (RJH)

Dear Judge Holwell:

The Government understands that the conference previously scheduled before Your Honor on February 8, 2008, in the above-referenced matter is being moved to February 21, 2008 at 12:00 p.m. The Government respectfully submits this letter, with defense counsel's consent, to request to exclude time under the Speedy Trial Act from February 8<sup>th</sup> through February 21<sup>st</sup> pursuant to 18 U.S.C. §§ 3161(h)(8)(A). It is anticipated that the parties will be able to continue discussing a possible disposition in this case during that period.

*Such exclusion is in the interests  
of justice*

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By:

*Michael M. Rosensaft*  
Michael M. Rosensaft  
Assistant U.S. Attorney  
(212) 637-2366

SO ORDERED

*Loretta A. Preska*  
LORETTA A. PRESKA  
UNITED STATES DISTRICT JUDGE

1/16/08

cc: Steven M. Statsinger, Esq.